



DOCKET NO.: S1507.70000US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yi-Yan Yang et al.  
Serial No.: 10/849,498  
Confirmation No.: 6009  
Filed: May 19, 2004  
For: METHODS AND ARTICLES FOR THE DELIVERY OF  
THERAPEUTIC AGENTS  
Examiner: Not Yet Assigned  
Art Unit: 1632

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 21 day of January, 2005.

  
Christine A. Gardner

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

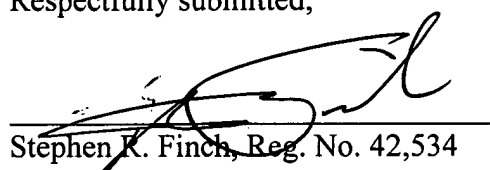
- Information Disclosure Statement;
- PTO Form 1449 with cited references; and
- Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

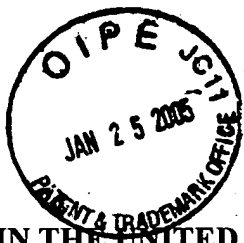
No check is enclosed. If a fee is required, the amount may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

  
Stephen K. Finch, Reg. No. 42,534  
Timothy J. Oyer, Ph.D., Reg No. 36,628  
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Docket No.: S1507.70000US00  
Date: January 21, 2005  
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The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 25 day of January, 2005.

  
Christine A. Gardner

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

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An early and favorable action is hereby requested.

Respectfully submitted,

By:



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Timothy J. Oyer, Ph.D., Reg No. 36,628  
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Docket No.: S1507.70000US00  
Date: January 21, 2005  
xNDDx



<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			APPLICATION NO.: 10/849,498	ATTY. DOCKET NO.: S1507.70000US00	
			FILING DATE: May 19, 2004	CONFIRMATION NO.: 6009	
			APPLICANT: Yi-Yan Yang et al.		
			GROUP ART UNIT: 1632	EXAMINER: Not Yet Assigned	
Sheet	1	of	2		

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		Cotten, M. et al., "High-Efficiency Receptor-Mediated Delivery of Small and Large (48 kilobase Gene Constructs Using the Endosome-Disruption Activity of Defective or Chemically Inactivated Adenovirus Particles," PROC. NAT'L. ACAD. SCI. USA 89:6094 (1992)		
		Dong, D.C. et al., "The Py Scale of Solvent Polarities," CAN. J. CHEM. 62:2560 (1984)		
		Haensler, J. et al., "Polyamidoamine Cascade Polymers Mediate Efficient Transfection of Cells in Culture," BIOCONJUG. CHEM. 4:372 (1993)		
		Kataoka, K. et al., "Block Copolymer Micelles for Drug Delivery: Design, Characterization and Biological Significance," ADV. DRUG DELIVERY REV. 47:113 (2001)		
		Kishida, T. et al., "ElectroChemo-Gene Therapy of Cancer: Intratumoral Delivery of Interleukin-12 Gene and Bleomycin Synergistically Induced Therapeutic Immunity and Suppresses Subcutaneous and Metastatic Melanomas in Mice," MOLECULAR THERAPY 8:738 (2003)		
		Kunath, K. et al., "Low-Molecular-Weight Polyethylenimine as a Non-Viral Vector for DNA Delivery: Comparison of Physicochemical Properties, Transfection Efficiency and In Vivo Distribution With High-Molecular-Weight Polyethylenimine," J. CONTROL. RELEASE 89:113 (2003)		
		Luo, D. et al., "Synthetic DNA Delivery Systems," NATURE BIOTECHNOL. 18:33 (2000)		
		Malone, R.W. et al., "Dexamethasone Enhancement of Gene Expression After Direct Hepatic DNA Injection," J. BIOL. CHEM. 269:29903 (1994)		
		Pack, D.W. et al., "Design of Imidazole-Containing Endosomolytic Biopolymers for Gene Delivery," BIOTECHNOL. & BIOENG. 67:217 (2000)		
		Zauner, W. et al., "Polylysine-Based Transfection Systems Utilizing Receptor-Mediated Delivery," ADV. DRUG DEL. REV. 30:97 (1998)		
		Zhang, X.H. et al., In Vivo Gene Delivery via Portal Vein and Bile Duct to Individual Lobes of the Rat Liver Using a Polylysine-Based Nonviral DNA Vector in Combination with Chloroquine," HUMAN GENE THERAPY 12:2179 (2001)		

EXAMINER:	DATE CONSIDERED:
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FORM PTO-1449/A and B (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: 10/849,498		ATTY. DOCKET NO.: S1507.70000US00	
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		APPLICANT: Yi-Yan Yang et al.			
		GROUP ART UNIT: 1632		EXAMINER: Not Yet Assigned	
Sheet	2	of	2		

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an IDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]